IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 17.06.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice V.DHANAPALAN

Writ Appeal No.1727 of 2003

The Management of
J.K.K. Nataraja Dental College,
Komarapalayam-638 183.
Namakkal District. ... Appellant/1st respondent

Vs.

1.R.Shanthakumar(SC)

2.K.Parimala(SC)

3.G.Lakshmi Priya(BC)

4.T.Jyothi

5.C.Priya Henrita

6.P.Meganath(BC) ... Respondents/writ petitioners

7.The Secretary,
Selection committee,
Directorate of Medical Education,
162, Periyar EVR High Road,
Kilpauk, Chennai-10.

8.State by the Secretary to
Government, Health & Family
Planning Department,
Fort St. George, Chennai-9. .. Respondents/Respondents 2 & 3

Writ appeal filed under Clause 15 of the Letters Patent against the order dated 09.04.2003 made in W.P.No.44010 of 2002.

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W.P.No.44010/2002: Petition under Article 226 of the Constitution of India to issue a writ of Mandamus forbearing the 1st Respondent from making illegal demand of Rs.1,00,000/- each from the petitioners and further directing the 1st Respondent to allow the petitioners to attend the classes without any interference of pressure.

For Appellant : Mr.R.Muthukumarasamy,Senior Counsel

For Respondents 1 to 6 : No appearance

For respondents 7&8 : Mr.M.Dhandapani, Addl. Government Pleader

JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM, J.)

Aggrieved by the order of the learned single Judge dated 09.04.2003 made in W.P.No.44010 of 2002, the management of J.K.K. Nataraja Dental College, Komarapalayam , Namakkal District, has preferred the above writ appeal.

2. Heard Mr.R.Muthukumarasamy, learned Senior counsel for the appellant and the learned Additional Government Pleader for respondents 7 and 8.

3.Though notice was duly served on respondents 1 to 6 at whose instance the impugned order was quashed by the learned single Judge, they are not represented by the counsel. They have not chosen to contest the matter by engaging the counsel.

4. In view of the limited clarification sought for in the order of the learned single Judge, there is no need to refer all the factual details. According to the learned Senior counsel for the appellant, the petitioners, who have filed a writ petition before the learned Single Judge, left the appellant College even in November, 2002, after getting all the certificates. It is also stated that thereafter the resultant vacancies were intimated to the Government. Based on the same, with permission, the vacancies were filled up with the fresh students by the management-College. It is also stated that those students have also completed their course. The above statements made by the learned Senior counsel for the appellant are hereby recorded.

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5. In view of the same, no further direction or adjudication is required in this writ appeal and the writ appeal is closed on the above terms. No costs.

raa

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1.The Secretary,
Selection committee,
Directorate of Medical Education,
162, Periyar EVR High Road,
Kilpauk, Chennai-10.

2.The Secretary to
Government, Health & Family
Planning Department,
Fort St. George, Chennai-9.

3 ccs to Mr.A.Jenasenan, Advocate, SR.25486

amb (co)

dv/26.6.06

W.A.No.1727 of 2003

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